1922.
[Courts]

File no. I-22
S.L. no. 1-7.

Supply of copies of records to the Govt. Advocate in cases where he has to appear before the district court.

G.R.S. IX—5]

Previous references.

1922
Courts

File No. 1-22

Serial Nos. 1-7.

Later references.

~~No 27-23 (1-3)~~
~~Mis-25-1~~
~~Ms Dep 24-30.~~
" 74-34

Preserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Seven.

Part B for January 1923.

SUBJECT

Supply of copies of ~~regard~~ records to the Govt. Advocate in cases where he has to appear before the Chief Court.

8(7)

To
The Registrar, Chief Court.
The Govt. Advocate.
The I. G. of Police
The D. Magistrates of Dts.
The Public Prosecutors, Bangalore or. Shimoga & Belgaum Drs.

No. P. 584-88. of 19.1.23.

Issues instructions to supply copies of records to the Govt. Advocate.

Printed on the Multigraph.

Asst Secy Revenue
31/1/23.

G. R. S. 11] 1921-2

GENERAL AND REVENUE SECRETARIAT.

(Cb)

NOTES.

File No. 1-2

FILE HEADING.

Entertainment of an additional hand for the Govt. Advocate's office.

From

The Govt. Advocate

No. 576 Dated 30.6.1921 Received 1.7.1921

Diary No. 7	Enclos. 1 Statement + 3 ples	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests sanction under the circumstances explained to entertain an additional hand for his office and if that cannot be sanctioned that instructions might be issued to the District Magistrates to send copies of records of his office in cases where he has appeal before Chief Court.

NOTES AND ORDERS.

Submd

1) The Chief Court in their budget proposals had included a sum of Rs 200/- towards the entertainment of a clerk to the Govt. Advocate's office. This provision was vetoed. The Govt. Advocate now requests that the additional

It is a file

NOTES—First Sheet.

Serial No.

hand may be sanctioned and if that is no possible instructions might be issued to the District magistrates to send copies of records this office so that this establishment may have to prepare copies. In the present financial stringency it may not be po to sanction an additional hand. His als proposal may be considered. It may be difficult to get copies prepared in District magistrate office. The Dt magistrate himself may issue instructions to the various subordinate magistrates to prepare one more copy of the depositions and judgment A circular to this effect issues sufficient submitted for orders

2/ 1) I agree.
4.7.22 4) forward for orders
Asst 4/7 (Govt Secy.)

5) The District Magistrate may be permitted to get the Copies made by Police Officers also where possible and necessary.

Second Member

6.7.22
Cur 7/7

III-21

General and Revenue Secretariat. | 15 File No. | of 1922-3

Serial No.

178

6) When evidence recorded by witnesses must be signed by Magistrate, may he signed a second fair copy of proceedings & sent to Chief Secretary, but what about Sessions cases. Cannot be sessions judge asked to send a certified copy of Sessions case & appeals & send it to the Borough.

Clerk
15/7

A-S B 16.7.22

7) Please put up draft for the 1st part of the order.

8) Please also enquire of the Registrar about the latter point.

Cag
17.8.

15
17/8

9) Secretary's draft

21
19-8-22

10) When drafts may issue. After receipt of the reply from the Ch. Ct, the other question may be worked up.

Cag
23/8

(III-2)

General and Revenue Secretariat. | 85 File No. | of 1922-23

Serial No.	
2	To The Regr Chief Court. P 1566 of 24/8/22. Enquires whether Sessions Judge can not be instructed to supply copies of Judgts depositions & exhibits to Govt in cases where he is required to appear before the Chief Court.
3	To Govt Advr D. Nos 4/Dels P 1537-45 of 23/8/22 Issues instructions for the supply of copies of Judgts depositions & exhibits to Govt Advr in cases where he is required to appear before the Chief Court.
4	From The Regr Chief Court Letter no 2 Dis 32 of 24-9-1922 States with reference to above that the Chief Court agree with the Sessions Judges that the establishment of their respective Courts are hardly worked at present and that unless they are increased by one additional clerk in each it will not be possible to carry out the suggestion

SECRETARIAT
27 SEP 1922

NOTE—Contn. sheet.

General and Revenue Secretariat.

cf File No. TP of 1922-3

Serial No.

Ended

4) It is cheaper to give one clerk in Govt Advocates office instead of 3 clerks for the sessions courts. There are no funds in the budget even for one additional clerk in the Govt Advocates office. Submitted for orders

12) Yes cwg 8/10

Sd/- 8/10

13) The argument for the employment of clerks for this work appears to be unreasonable. It is not in every case that an appeal is preferred & in every case the accused gets copies free. An additional copy will not alter matters, so far as Government is concerned. Depositions etc may perhaps be managed with the existing staff unless the case is very voluminous.

14) The Govt Advocate wanted are clerks for all this work, while the Distt Judges want a clerk each, for their portion of it.

15) Submitted for orders

Genl Secy cwg 8/10

16) Depositions should be voluminous generally in cases where

NOTE—Contn. sheet

III-2]

eneral and Revenue Secretariat.

CS File No. 1-15 of 19 23

Serial No.

An appeal & Considere necessary. Perhaps the Govt Advocate may be given an addl clerk when funds ld and till then the Police officers engaged in the case may perhaps be instructed & 8 copies made by them & sent up by them & the Con concerned.

1

2449
23-10-22

Second Secretary

20/10/22

17) I believe there is a circular (Cir 20/10) which applies to this case, but I think there would be some advantage in making copies & depositions. Please peruse the circular.

Sd
20/1

18) A S 27/10/22

Cir 27/10

19) Submitted with a D.O. letter requesting for a copy of the circular Cir 27/10

20) Issue Cir 28/10

21) D.O. No 3575 of 1.11.22

To the Q.G. of Police Office Assistant.

Calls for a copy of the circulars under which Police Officers are to make copies of depositions in Inquiries and Magistrates' Courts

NOTE—Contn. sheet

General and Revenue Secretariat. | File No. / of 19 22-3

Serial No.

6) From the G.G. Police D. no D2 Dis 1135 dt 4/11 states that price of Cantaki copies of depositions as per rule of practice no 61 & 16.3 and forwards an extract from the said Rule of Practice

2) Submitted with reference to para (17)

2870 / 7-11-22

3) 24.11.22 (Endorsement) 5/11

24) Mr. Thomas is dead. The first witness may be recalled.

10/11

26/11/22

5.16(1)

25) Submitted with draft (reverse)

20/11/22 23/11

24/11

24)

Second

Ce 282 / 2.1.23

24/12/22

25) Copy

14/1

13.1.23

26)

13/1

NOTE—Contn. sheet.

...ad Revenue Secretariat. | Secy. File No. 1 | 17 of 19 22

Serial No.	
7	To the Registrar, Ch. Court. " Govt. Advocate " S.S. Porbes. " Dist. Magistrate J. Dist " P.P.S. Bandora Shimla & Mrs " G.O. No. 5845-58 dt 19.1.23 Issues instructions & supply of records to the Govt. Advocate.

27 JAN 1923

JUDICIAL BRANCH.

Judicial (Copies)
For records (Fr. pps. 4; 4)
65/21-22
10036

E. Go[redacted] Advocate

Dated Bangalore.....June 1

SECRETARIAT & REV. BRANCH
1 JUL 1922

From

The Government Advocate in Mysore,
BANGALORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General Department, BANGALORE.

es 1/7

Sir,

SECRETARIAT
1 JUL 1922
JUDICIAL BRANCH.

I have the honor to state that in the draft General Budget Estimates for the year 1922-23, received in this Offic I find a sum of Rs. 300/- and odd, which I had proposed for t addition of a clerk to my establishment, omitted from the fig ures, and in this connection, I have to bring to the notice Government the extreme difficulty that I am put to, in not b ing supplied with copies of records of the several cases in which I am notified to appear on behalf of Government, before the Chief Court of Mysore. The ordinary general work of the office keeps my two clerks fully engaged throughout the day, and as such they hardly find any time to prepare copies of - the records. In consequence, I am put to the necessity of - looking into the original records and taking brief notes (to the detriment of other important work) in several cases in - which verbatim copies of records will be absolutely necessary for being referred to in Court, and this means a lot of inconvenience and trouble, not to speak of the waste of time whihh this process involves.

To give a general idea of the records that I require for my Court work in each case, I am enclosing herein, typed copies of a few records that were prepared in my office. They also show what an amount of copying work has to be done in - this office, as generally some half a dozen such cases (excluding

excluding many minor cases such as Revision Petitions and Revision cases) come up for hearing every week before the Chief Court.

I am also enclosing herein, for information, a comparative statement of the work (office work and record copying) done in this office, during the last five years, which shows how the work is steadily increasing year after year.

Under these circumstances, I have no other alternative than to urge on the attention of Government, the absolute necessity for adding at least one more clerk, for the present, to my establishment, or in the alternative, for issuing the necessary instructions to the heads of the several districts, to furnish me with copies of records of cases, of their respective districts, in which I am notified to appear before the Chief Court, as is being done in the case of Public Prosecutors who are supplied with copies of records by the Committing Magistrates, as soon as a case is committed for trial to the Court of Sessions.

As the matter is one of extreme urgency, I request that early orders of Government may be kindly obtained in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

Government Advocate.

S T A T E M E N T

showing the amount of work done in the Office of the Government Advocate in Mysore, Bangalore, from the year 1917-18, to the end of December, 1922.

YEAR.	Number of cases conducted in Court, in which records were copied.	Approximate per centage of INCREASE. (on 17 - 18 figures). -	References from Govt. received for opinion Etc. -	Approximate per centage of INCREASE (on 17 - 18 figures). -	References from other Departments, received for opinion Etc..	Approximate per centage of INCREASE (on 17 -18 figures). -	General correspondence re: Court Work. -	REMARKS.
1917-'18.	156	-	84	-	143	-	153	
1918-'19.	174	12%	193	130%	120	-	122	
1919-'20.	209.	34%	165	96%	171	20%	159.	
1920-'21.	216.	39%	203	145%	167	17%	148.	
SIX MONTHS. July - Dec: 1921)	117.	50%	118	180%	140	96%	132.	

Bangalore,
June 1922..

SUBJECT.....

Diary No. of letter replied to—/

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 24/8/11

Signed by M Cas,

Section

File No. /-

Serial No. 2

No. 5756

To

The Legal Chief Asst

Sir

I am directed to state that the Advocate the Govt Group to notice grove difficulty he is put to in prepa Copies of records in cases which he is noticed to appear before the Chief Court on behalf of Govt and suggests that if Govt cannot sanction an additional hand to do the Copying work, Rs 25/- for his Office establishment must be issued to supply him with

over.

to get and the Govt Advocate will
be to supply copies of judgment
ms and exhibits in such
Magistrate's
in the subordinate Courts. as
~~the govt Advocate appears~~
~~on behalf of the~~. I am to enquire
if instructions may not be sent
to the Sessions Judges to supply
clear copies to the govt Advocate
in which
cases he has to appear before the
on appeal from the lower
Court. An early reply is requested

I have etc

for Secretary

List of enclosures.

19-8-18

Copied by

Examined by

SUBJECT.....

.....

.....

Diary No. of letter replied to.....7.....

Section C 5

File No. 1

Serial No. 3

General and Revenue Secretariat

( )

, the 191 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 23/8/22

Signed by

Read

Letter no 576 & 30.6.1922 from Govt Advocate in Mysore stating the notice by Govt in difficulty put to in not being supplied with of records of the cases in which h to appear in the Mysore Court on behal and requesting sanction to the crea of an additional clerk on Rs 25 p.m. the preparation of records in such cases and suggesting that alternatives, if the ~~Order Thereon No~~ entertainment of additional clerk cannot be sanctioned, that the Dr instructions might be issued to furni him with copies of records in cases which he is noticed to appear.

order 1537-45

Govt approve of the alternative

May this be

i Printed ?

ii treated as a standing order ?

ii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada Part ?

P.T.O

Time and according
that in cases in which
Advocate has to appear
in the Court on behalf
the District magistrates
arrange to obtain from the
Ste, of the Courts concerned and
to the Govt Advocate copies
copy of the judgment, depositions
exhibits in such cases. As regards
ms cases, ~~the Public Prosecutors~~
~~to apply~~ copies ~~should be furnished~~
~~free of charge~~
a/c orders will issue

Govt Secy

List of enclosures.

The Govt Advocate in Mysore with
D/ magistrates of Dists
~~Public Prosecutors, Bangalore Mysore~~
~~and Shimoga Dts~~

Copied by

Examined by

WD 1744—GPB—30,000—17-3-19

Judl No. 37
22-23

17 Oct 51-22-4

15620

CHIEF COURT OF MYSORE

Bangalore, dated 24th September 1922

16

From

A. Srinivasaraghavachari, Esq., B.A., B.L.,
Registrar of the Chief Court of Mysore,
B a n g a l o r e.

GEN & REVISE
26 SEP 1922
JUDICIAL AND R
27 SEP 1922

To

B. Venkoba Rao, Esq., B.A.,
General Secretary to the Government
of H. H. the Maharaja of Mysore,
B a n g a l o r e.

S i r,

I am directed to acknowledge the receipt of your letter No.P.1566/Cts. 1-22-2 dated 24th August 1922 enquiring whether instructions may not be issued to the Sessions Judges to supply copies of records to the Government Advocate in Sessions cases in which he has to appear in the Chief Court on appeal or otherwise.

In reply I am to state that after consulting the various Sessions Judges in the --

SUBJECT.....

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.....

.....

Diary No. of letter replied to 1710

Section 05
File No. 1-W
Serial No. 6

General and Revenue Secretariat
( )
, *the* 191 .

No. 6 3599

Date of issue 1/11/21

To The Personal Assistant to the
D.S. Police

Signed by Mr Cary.

Dear Sir,

I am desired to request
to kindly forward a copy of the
Circulars (plural) under which the Police officers
are required to make copies of
depositions in Coroners and
Magistrates' Courts in Police
Cases.

Yours sincerely
Asst.

By
24.10.21

over. 28/10

desired.

Yours sincerely,

Inspector General of Police.

To

C.Abdul Ghani, Esq.,B.A.,B.L.,

Assistant Secretary to Govt.

Judicial Branch.

46. 2318
P

Office of the Inspector Genl.
of Police in Mysore.
D.O. Dated Bangalore, 21st Nov. 1922.
C2B-1125/22

Dear Sir,

In reply to your D.O.letter No.P. 3599/Stn.1-22 of the 1st instant addressed to my Office Assistant asking for a copy of the Circular under which Police Officers are alleged to make copies of depositions in Sessions and Magistrates' Courts, I write to inform you that the said practice is in force in accordance with Chief Court Rule of Practice No.61 of the 16th March 1895. Extract of para 4 of the said circular is enclosed as

Extract from Mysore Gazette dated 4th April 1895.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE.

Criminal Side.

Rule of Practice No.61, dated 16th March 1895.

IV. If the Head of the Department wishes to obtain a copy of the entire record (other than the copy of the final order or judgment furnished free of charge under the preceding para) he shall make an application to the presiding Judge or Magistrate and send any Officer or Clerk his Department to make copies. The Officer or Clerk deput-ed for the purpose shall be deemed to be a licensed ~~xx~~ copyist and he shall be permitted to make a copy in the precincts of the Court-house and under the supervision of the Head Ministerial Officer of the Court.

x x

Extract.

Inspector General of Police.

SUBJECT.....

.....

.....

Diary No. of letter replied to... 2318

Section C

File No./- 2

Serial No.

General and Revenue Secretariat

( )

, *the* 192 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue..... 19/1/23

Signed by..... M^r Jeg.

Read—

Lr. no P 1537-45/ch 1-22-3 dt. 19.12.1922 praying orders in the matter of the supply of copies of records to Govt Advocate by the Archiel ma whenever he has to appear on be of Govt before the Chief Court, stating that separate orders will be required in regard to supplying records in Sessions

2. Correspondence ending with the letter no D. Dis 37 dt 24.9.1922 from the Registrar, Chief Court, stating that the judges of the Chief Court are pleased to make the following Order Thereon—No. Sessions judges in Mysore It is not possible to get copies prepared made by the establishment of the Sessions Courts in Sessions cases for supply to Govt Advocate without any additional clerk for each court.

order P 5845-58

Govt observe that under the

May this be

i Printed ? ✓

ii treated as a standing order ? ✓

iii ~~published in the Gazette,~~ ~~English Part~~ ?

iv ~~translated ?~~

v ~~placed at the disposal of the~~ press ?

~~vi published in the Gazette, Kannada Part ?~~

cases can have copies of
wills, exhibits etc. in such
made by their subordinates
permission of a Presidency Judge.
is so prepared can well
e available to the Public
for so that Collectors, besides
ng the use of the said copies,
y be enabled to send them
District magistrates on requisition.
shall forward the same to the first
ecate when he has to appear
or the Government or a Special
first Advocate will make
ications for such copies to the
rict or Private Parties concerned

The G. of India is requested
e suitable instructions to
in the matter.

24/5/22

List of enclosures.

Legal Dept
me as the Government Pleader
first Advocate
G. of India.
Dt. magistrates of Districts
Public Prosecutors of Bangalore
Cannanore and Mysore Divisions

W.C.

Copied by

Examined by

23/11